

REGULAR MEETING of the CORNWALL TOWN BOARD was held on the 11<sup>th</sup> day of February, 2013, in the First Floor Court Room, 183 Main Street, Cornwall NY

PRESENT: Supervisor  
Councilperson

D. KEVIN QUIGLEY  
ALEXANDER MAZZOCCA  
ELIZABETH LONGINOTT  
RANDOLPH CLARK  
MARY BETH GREENE

Also PRESENT: STEVE GABA, representing attorney for Town, JAMES R. LOEB Esq.

**Public Hearing – Tax Bill Enclosures** – Supervisor QUIGLEY opened the Public Hearing with the reading of the Notice of Publication at 7:40 P.M. There being no comments from the public, a motion to close the Public Hearing was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Pledge of Allegiance**

**Approval of Minutes** – January 14, 2013 Regular Meeting; February 5, 2013 Special Meeting – A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**Public Comment Agenda Items** – Mr. Gerry Jacobowits advised that he was on the Orange County Planning Board and is a resident of Cornwall and wanted to explain what the County is suggesting with the Greenway Compact. Mr. Jacobowitz explained that the resolution before the Board tonight is in support of the County entering in to the Greenway Compact Agreement. If approved, then all the municipalities would get the chance to enter into it as well. The Compact sets a standard for development of the communities in a way that encourages good planning, protecting the environment, providing an array of housing, encourage economic development and doing all the good things you are trying to do as public officials. The municipalities would get the chance to adopt a local law that makes them a part of the Compact as well. Adopting this resolution does not commit you to anything now; it merely states that you are in support of the County entering into the agreement. The Orange County Planning Board recommended this at their meeting last Thursday and all 42 municipalities have been asked to adopt a resolution of support that will go to the County Legislature and the County Executive telling them that you are in favor of the agreement. Mr. Jacobowitz brought two copies of the Compact and advised that it is also available online. There is a disclaimer that says that there is nothing in the Compact that is intended to alter the local municipality's authority to deal with their land use regulations and zoning. The only obligation you have is to consider some of the things that are in the compact, you are not bound and you are not giving up any of your power and authority. One of the goals of the Compact is to create an array of housing to meet the needs of all ages and all levels of income and as you go through the draft there is referral to housing, economics, environment, transportation, scenic corridors and a whole range of other things. Mr. Jacobowitz stated that from the standpoint of a citizen, this is a step in the right direction. Mr. Bruce Bryan advised that he was very proud of this Board for putting forth the second amendment resolution. Mr. Bryan also advised that regarding the Greenway Compact he would urge the Board not to get involved until they have some further insight. He stated that that Compact is rooted in the U. N. Agenda 21 and he finds it to be something that will ultimately destroy the sovereignty of this Town as well as other towns and felt the Board should do more research before they vote on it. Pat Hines advised that he wanted to comment on the property maintenance resolution for Mill Street and the problem that he had was that the

resolution had no teeth and there had to be an end date. Mr. Hines suggested that since they did not show up when they had the opportunity that we should stick with giving them 60 days to complete the work. Also he did not want to wait if they miss the deadline, be ready to act and not wait and start over again and not kick this can around. This is been going on too long and someone is going to get hurt. Ms. Nancy Bryan stated that she was rather bothered about the need to get a warrant for Gary Vinson to do an inspection at Mill Street. Someone who respects the Town government would let the inspector on their property to do his job. Those people who own that property and break every law and snub our ever action and have endangered multitudes of people in this Town; and we have to get a warrant to get our building inspector there. Michael Bigg stated that his property faces the war zone of Mill Street and he cannot do anything with his property, such as subdivide, because he is not sure if there is asbestos on the property from the fires that occurred at Mill Street. Mr. Bigg said that he has debris and ash all over his property and hoped that the Board would act soon to get it cleaned up. Mr. Bigg also wanted to comment on COVAC and mentioned that he was 12 when COVAC started discussing billing and he was now 28. Back in January we discussed it, and he had not heard any news yet and he was concerned because COVAC was not on the agenda tonight. Back in January Mrs. Longinott had questions and he has not heard them yet. Mr. Bigg advised that he had two ambulance calls; one was a patient who was concerned that their funding was going to run out. Mr. Bigg agreed and wanted to know what was going to happen for the rest of the year. The other patient he was attending was having a massive heart attack and in between gasping breaths he said, "I don't want the paramedics here because it costs too much money and I owe them \$2,000 from the last time". Mr. Bigg stated that If we had started billing, the patient would not have refused the paramedics because he would have been covered through COVAC. We have been kicking this can down the road since I was twelve with nothing being down. He really wanted the Board to consider approving the billing tonight and go forward from there. Mr. Bigg advised that the Town of Highlands, which is a much smaller Town, has a budget of \$400,000 and Woodbury has a \$500,000 budget and we are down to \$61,000. He went on to state that they are in need of new vehicles, the newest vehicle was from a grant, and the one before that was also from a grant. He hopes that the Board had something for COVAC.

**Agenda Item #1 – Resolution -- Adopt Local Law – Tax Bill Enclosures** – Supervisor QUIGLEY advised that this was to adopt the resolution that we discussed in tonight's Public Hearing. WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law to amend Town Code Chapter 132 by adding "Article VII. Tax Bill Enclosures", and WHEREAS, following due notice the Town Board held a public hearing on the proposed local law, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #2 – Resolution – 2 Mill Street** – Supervisor QUIGLEY advised that he has received confirmation from our engineering consultants, as well as from the Department of Labor, that the asbestos abatement has been completed at Mill Street. WHEREAS, the Town Board of the Town of Cornwall, has commenced property maintenance violation proceedings under Town Code Chapter 115 against Cornwall Warehousing, Inc., in regard to certain premises located at 2 Mill Street, Cornwall, New York, and WHEREAS, on January 14, 2013 the Town Board issued an Order under Town Code §115-7 directing Cornwall Warehousing, Inc., to commence work to remedy the violation at the said property no later than February 14, 2013, with work to be completed within sixty (60) days thereafter, and WHEREAS, the said Order along with a Notice of Violation was duly served upon Cornwall Warehousing, Inc., and WHEREAS, on February 4, 2013 the Town Board held a hearing on the said Order and Notice of

Violation, of which Cornwall Warehousing, Inc., was given due notice and an opportunity to be heard, NOW, THEREFORE, the Town Board hereby resolves as follows:

1. That the Town Board hereby confirms the said Order under Town Code §115-7; and
2. That the Town's attorneys are directed to prepare the necessary papers for a lawsuit to be commenced against Cornwall Warehousing, Inc., in New York State Supreme Court seeking an injunction, civil penalties and recovery of expenses, with such suit to be commenced in the event that Cornwall Warehousing, Inc., fails to commence work to remedy the violation at the said property on or before February 14, 2013, and complete work within 60 days thereafter.

A motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #3 – Resolution – Receiver of Taxes Undertaking** – WHEREAS, under Section 25 of the Town Law, and undertaking for faithful performance is required from the Town Receiver of Taxes and other Town officials in regard to all monies or property coming into their hands, and WHEREAS, the said undertaking is sufficient as long as it is of an amount at least equal to the amount of money received and held by the Receiver of Taxes and other officers at any one time, and WHEREAS, the Town heretofore procured and filed such a faithful performance undertaking on behalf of the Receiver of Taxes and the said Town officials, issued by NGM Insurance Company, 220 Salina Meadows Parkway, Suite 200, PO Box 4742, Syracuse, New York, and WHEREAS, the County has requested a formal resolution of the Town Board approving the undertaking, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board hereby formally approves the said faithful performance undertaking on behalf of the Receiver of Taxes and other Town officials as required by Section 25 of the New York State Town Law. A motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #4 – Resolution – Towing License** – WHEREAS, the Town has received an application for a towing license from "Express Towing" pursuant to Chapter 137 of the Code of the Town of Cornwall, and WHEREAS, Police Chief Todd M. Hazard has reported that the said application meets all of the Town's requirements, and he has recommended adding Express Towing to the Town's towing list, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby approve the issuance of a towing license to Express Towing and authorizes its addition to the Town's towing list. A motion to approve was made by Councilwoman LONGINOTT, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #5 – Resolution – Towing Applications** – WHEREAS, under the provisions of Town Code Chapter 137, entitled "Towing", Towing companies must submit annual Towing License Applications for review by the Town of Cornwall Police Department and approval by the Town Board, and WHEREAS, the following Towing License Applications have been reviewed by the Town of Cornwall Police Department and found to be satisfactory: JULIAN'S AUTO, SCOTT HECHT, ECONO TOWING, 20<sup>TH</sup> CENTURY TOWING, A & R BODY SHOP, PAPLEO'S, PAT'S TOWING, MICHAEL BIGG JR., and MICKEY BIGG'S QUALITY AUTO BODY, and WHEREAS, the said Towing License Applications have now been submitted to the Town Board for approval, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby approve the Towing License Applications submitted by JULIAN'S AUTO, SCOTT HECHT, ECONO TOWING, 20<sup>TH</sup> CENTURY TOWING, A & R BODY SHOP, PAPLEO'S, PAT'S TOWING, MICHAEL BIGG JR., AND MICKEY

BIGG'S QUALITY AUTO BODY. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #6 – Resolution – Hudson Valley Greenway Act** – Councilwoman GREENE advised that we currently are a member of the Greenway, and do receive credits for being a part of it. She added that there are only two villages in Orange County that are not members, but will be having presentations during the next couple of weeks to join; so that all the municipalities in Orange County will be members. Dutchess County is fully a member and they have been very successful in obtaining funds. After further discussion, the Board decided to do more research on the subject matter. A motion to table was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #7 – Resolution – Second Amendment** – Supervisor QUIGLEY advised that this was about our right to bear arms. WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York, and WHEREAS, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Town of Cornwall, Orange County, New York, and WHEREAS, the People of the Town of Cornwall, Orange County, New York, derive economic benefit from all safe forms of firearms recreation, hunting and shooting conducted within the Town using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and WHEREAS, the Town Board of the Town of Cornwall, whose voting members are duly elected to represent the People of the Town of Cornwall, Orange County, New York, are duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and WHEREAS, the New York State Assembly and the New York Senate, being elected by the People of the State of New York, are duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and WHEREAS, legislation recently passed by the New York Assembly and Senate infringes on the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens for defense of Life, Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearms recreation, hunting and shooting, and WHEREAS, the said legislation was passed hastily, without adequate time for review by legislators, and public debate or due consideration to the consequences of said legislation, and WHEREAS, the Town Board of the Town of Cornwall believes there are many other more effective methods that would effectively, control, manage, and reduce violence in our society, such as, mental health reforms, anti-bullying programs for schools, enforcement of existing firearms laws to the fullest extent possible, and proper psychological counseling for those in need or who request it, NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. That the Town of Cornwall Town Board does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to Keep and Bear Arms and considers such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives, as there is no documented correlation between gun control measures and crime reduction.
2. That a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Senator Charles Schumer, Senator Kristen Gillibrand, Congressman Sean Patrick Maloney, Governor Andrew Cuomo, Senator William Larkin, Senator John Bonacic, Assemblywoman Annie Rabbitt and Assemblyman James Skoufis.

A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #8 – Resolution – Foreclosure Bills** – Supervisor QUIGLEY explained that this resolution was to make sure that when properties went into foreclosure, that someone was going to still be responsible for the maintenance of the property. WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years, and WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structures as well as the value of surrounding properties, and WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party, and WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures and require good faith in obtaining a foreclosure, and WHEREAS, the Town Board of the Town of Cornwall supports the passage of said Bills, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Town of Cornwall support the passage of said bills, and
2. That the Town Clerk is directed to send a certified copy of this resolution to Assemblyman Michael P. Kearns.

A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #9 – Resolution – Plea Bargains Traffic Tickets** – Attorney STEVE GABA advised that municipalities are charged with the prosecution of traffic tickets and the fees are split by the municipalities and the State. When you plea bargain, and you plea down, the Town would get the lions share as you are doing all of the work and the State would get a smaller share. Councilwoman GREENE advised that the State is also adding an \$80 surcharge for them, and we have to look at how we dispense justice, and its going to backlog our court system if we are not able to move cases through. This could put cases out by a year; so there are many goods reason to contact the Governor to not pass this legislation. WHEREAS, Governor Cuomo has proposed a state budget for 2013 which includes so-called “revenue enhancing” measures, and WHEREAS, among the provisions in the Governor’s proposed budget is a proposal to enact legislation limiting the ability of local governments to entertain plea bargain on traffic tickets, and WHEREAS, many Orange County Municipalities will face significant loss of revenue having tremendous impact on their already adopted and approved budgets if the Governor’s proposal regarding traffic tickets is enacted into law, NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. That the Town of Cornwall Town Board urges Senators Bonacic and Larkin and Assemblywoman Rabbitt, Tenney, Gunther and Assemblymen Skoufis and Skartados to oppose any legislation to limit the ability of local municipalities to plea bargain traffic violations, and
2. That a copy of this resolution be sent to Senators Bonacic and Larkin and Assemblywoman Rabbitt, Tenney, Gunther and Assemblymen Skoufic and Skartados.

A motion to approve was made by Councilwoman GREENE, seconded by Councilwoman LONGINOTT.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #10 – Resolution – Tax Certiorari Settlement Agreements** – WHEREAS, heretofore Michael Bigg, Flyer Fernandez LLC and Albert & Rosemary Mandell filed petitions under Real Property Tax Law Article 7 in New York State Supreme Court, Orange County, challenging the real property tax assessments for the properties located at 1 Briarcliff Place, 173 & 175 Bay View Avenue and 17 Noor Lane in the Town of Cornwall and more fully described on the annexed schedules prepared by Ira S. Levy, Special Counsel, and WHEREAS, above petitioners and the Town have reached mutually agreeable settlements, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize Special Counsel to the Town to enter into and execute settlement agreements on behalf of the Town for the assessments for above petitioners all in accordance with the annexed schedules. Motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #11 – CSEA Memorandum of Agreement** – Councilwoman GREENE advised that since they have been notified of a change in the wording of the proposed contract, she would like to make a motion to table it, seconded by Councilwoman LONGINOTT.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #12 – Vehicle Purchase – Police Department** – Supervisor QUIGLEY advised that he received memo from Chief Todd Hazard advising that patrol vehicle 408 was in need of costly repairs and with 98,000 he recommended replacing the vehicle instead with a 2013 Ford Police Sedan at the State contract price of \$23,572 from Van Bortel Ford. A motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #13 – Declare Vehicle Surplus – Police Department** – Supervisor QUIGLEY advised that he received a request from Chief Hazard that a 2006 Ford Crown Victoria VIN #2FAHP71W16X138608 be declared as surplus and be sold on GovDeals.com. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman GREENE.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #14 – Town Hall Generator Modifications** – Supervisor QUIGLEY advised that the Generator at Town Hall works well, but requires a multitude of extension cords; so we have to have the electrical work done to run the lines to the panel and we have received a quote from our regular electricians from Clearwaters Electrical Contracting for \$2,500. A motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #15 – Records Management Grant** – Supervisor QUIGLEY advised that he received a request from Town Clerk, Renata McGee for authorization to apply for a Records Management Grant for 2013 -2014 to do digital imaging of Police Department Case Investigation Records from 1963 to 2011. A motion to approve was made by Councilwoman GREENE, seconded by Councilman MAZZOCCA.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #15B – Reimbursement Grant** – Supervisor QUIGLEY advised that he received a second request from Town Clerk Renata McGee to apply for a \$1,000 Reimbursement Grant from Assemblyman

James Skoufis to restore one of the Town's birth record books from 1936 that is severely deteriorated. A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #16 – Cornwall Garden Club – Annual Plant Sale** – Supervisor QUIGLEY advised that he received a request to have the annual plant sale at the Sands Ring Homestead on May 11, 2013 as well as May 10<sup>th</sup> to set up. A Motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #17 – Cornwall Garden Club – Arbor Day – Tree Planting** – Supervisor QUIGLEY advised that he received a request from the Garden Club to do a tree planting on Arbor Day, April 26, 2013. The Supervisor added that our own Building and Grounds personnel would be doing the actual digging. A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #18 – Riverview Run for Parkinson's Research 5K & 10K Race** – Supervisor QUIGLEY advised that he received the annual request to hold the race, and that Mr. Kelly will be working closely with our police department regarding the closing of the roads. The race will be held on Sunday, September 29, 2013. A motion to approve was made by Councilwoman GREENE, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #19 – 2012 Budget Adjustments** – Supervisor QUIGLEY called for a motion to approve the end of year budget adjustments. A motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #20 – Association of Towns – Per Diem** – Supervisor QUIGLEY advised that the per diem would be \$50. A motion to approve was made by Councilwoman GREENE, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #21 Personnel:**

**Highway Department:** Supervisor QUIGLEY advised that a meeting was held earlier tonight with Superintendent Robert Conley to adjust the salary for his secretary Ms. Mary Beth Hand by \$4,000. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Police Department:** Supervisor QUIGLEY advised that the department had a PESH inspection and there were some requirements that had to be met, and that the total cost would be \$950. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Cornwall Arts Council:** Supervisor QUIGLEY advised that Councilwoman GREENE has volunteered to be

Arts Council representative for the Town. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**GFOA Conference:** Supervisor QUIGLEY advised that he received a memo from our Bookkeeper, Pam Wood requesting approval to attend the Annual GFOA Conference from April 10 – 12 in Albany NY. The registration fee is \$195 and the hotel is \$138 per night for 2 nights and there will also be mileage reimbursement. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

#### **Committee Reports:**

Councilman MAZZOCCA advised that he didn't have any committee reports but wanted to let everyone know that on Ground Hogs Day, he had his 86<sup>th</sup> birthday. The public applauded and the Board wished him a very Happy Birthday.

**Recreation:** Councilwoman LONGINOTT advised that there will be a trip to Philadelphia on March 4, 2013 to the Flower Show; the cost will be \$68. If you are not interested in the flower show, you can go gambling instead for \$40 per person. There is a Victorian vacation scheduled for May 15 – 16 in Cape May, NY, \$250 single occupancy and \$206 double. This trip will stop at Atlantic City Casino and boardwalk on the second day. A \$100 deposit is due no later than March 1<sup>st</sup> 2013. Please contact the Recreation Department for info on all other events.

**Building Inspector:** Councilman CLARK stated that he wanted to talk about the nerve that bothered Nancy Bryan and advised that when the first situation occurred that we had to have special authorization for our engineer and building inspector to go on an inspection; he was very upset with that as well. Mr. CLARK advised that when he had something done on his property, and was told by the Building Inspector that they had to do an inspection, he always said come on in; he did not know that he had a choice. He was not aware that they could stand their ground and that we would have to get a warrant. Mr. CLARK stated that he was appalled that we have to go that route but unfortunately, that is NYS law.

**COVAC:** Councilman CLARK advised that there were 86 calls last month with 47 of them being for advanced and basic life support. Mr. CLARK stated that billing has been discussed and that he would leave it at that.

**Sewer Department:** Councilman CLARK advised that there was a meeting last week while he was away, and believes it was not favorable to the Town.

**Insurance:** Councilman CLARK advised that the rates were not friendly because of the claims we had. Supervisor QUIGLEY advised that the insurance company will be contacting him soon.

**Police Department:** Councilwoman GREENE advised that there were 104 traffic/appearance tickets issued, 15 parking tickets, 55 vehicle accidents, 32 residential and business alarms that were responded to, 19 animal complaints, 11 domestic incidents. Ms. GREENE added that we also had 67 house checks; so if you are going away; please contact the police department to be on the list.



**Highway Department:** Supervisor QUIGLEY advised that for the month of January the following work was done:

Pick up Christmas trees curbside – Town-wide  
Hauled in sand mixed w/salt – loaded in salt barn  
Filled potholes Town-wide where required with winter cold mix  
Street sweeping – business district and curbed subdivisions  
Performed winter maintenance for winter storm Helen, Jan. 16<sup>th</sup> and material application for winter event of January 25<sup>th</sup>, January 28<sup>th</sup>.  
Prepped equipment for above snow events, washed equipment and replaced cutting edges on plows as needed, after event  
Mechanical work as required  
Assist sanitation department with double pickups due to holidays/shortage of manpower and assist with scheduled bulk and electronic pickups as scheduled

**Warrant #2:** Supervisor QUIGLEY called for a motion on Warrant #2, a motion to approve was made by Councilwoman GREENE, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

**Public Comment:** Mr. Pat Hines stated that he wanted to thank the Town Board on behalf of the members of the Cornwall Fire Department for listening and taking decisive action. Mr. Jeffrey Small was checking in about any new developments regarding Cornwall Commons. Supervisor QUIGLEY advised that he knew that they have had some contact with our vendors but did not know the depth of it. Mr. Small asked what the status was as he was aware that the developer has been in contact with the Town attorney. Mr. Small wanted to know what the next step was. Supervisor QUIGLEY advised that they are going to take the information, come back to the Town Board and the developer is probably going to request that we change the zoning; the Town Board will have to make that decision. Mr. Small wanted to know if the draft was almost ready. Supervisor QUIGLEY advised that he didn't know what the timeline would be. Mr. Richard Randazzo stated that he wanted to follow up on COVAC; stating that he was sure that the Town sought the advice of counsel and understood the legal ramifications of getting COVAC out on their own, he felt that the bottom line is that if the Board is inclined to make it happen, and actually help COVAC get on their own; it's a real simple to put the package together and do it. The longer you delay; it leaves COVAC hanging. Mr. Randazzo stated that he believes that the goal of the Board is to get them out on their own, then you need to move forward and be done with it as nothing has been said in the last month. Eileen Hartmann wanted to know where things stand with the NYMA property, as there are all sorts of rumors going on that the tenants are being asked to move out at the end of the lease this spring and wanted to know if there are steps in place to protect the Town. Supervisor QUIGLEY advised that we are closely watching what is going on certainly, and will make plans as it unfolds and we get more information. Ms. Hartmann advised that maybe this is something that the Town Board needs to look into further to protect the Town. Mr. Randazzo stated that when this first came up, the Board spent a lot of time and money trying to protect the Town, but he believes that nothing was done affirmatively that we could say that we are better protected now than we were then. Mr. Randazzo added that this is unfortunate because plans should have been put in place whether through the Comprehensive Plan, Zoning Adjustments, the Town could have had a plan to protect itself from anything that might affect the Town and we find ourselves in the exact same situation because nothing has been done. Mr. Randazzo stated that the Town has a right through Home Rule to make decisions on Zoning to protect the community, without hurting NYMA. Councilman CLARK responded that he does not agree that the Board has done nothing. The Town Board hired special counsel, spent a

good chunk of money and in his opinion, we did the right thing, we took the right steps, we went as far as getting an appraisal for the property. He would like to finish the northeast business zone area as we have already addressed in the zoning in the Comprehensive Plan and lastly, he would like to make an offer for the grounds as recommended by the attorneys and then make an arrangement with NYMA. We have gone up to that step, but no further, because maybe we are afraid that they would accept it. He feels that they would not accept as they have a great school going now, they need more cadets. Mr. CLARK believes that we need to follow the advice of our Special Counsel and tie up some loose ends, and protect the residents so that in the event that we do need to do something drastic in that northeast business corridor zoning wise; we have done our job. Mr. Randazzo asked that if purchasing turns out not to be an option, is the Town then prepared to move on the zoning on that property to protect the community; is that in place. Councilman CLARK stated that the last meeting they had, Mr. Yannone made a presentation a year ago and he hasn't heard anything since. Mr. Randazzo responded that that was where he thought that the Town should take steps and should have zoning prepared for what the Town believes that property should be zoned for in the future and have it ready to roll on it on short notice with good basis, sound thinking, something that would stand up in court. Mr. Randazzo stated that zoning is going to be the best way short of annexing to the Village. Councilman CLARK responded that we could debate annexing all day as he feels it would be the absolute worst solution. Mr. Randazzo responded that he would love to debate that at a later time. Superintendent Robert Conley thanked the Board for acting favorably on his request for a pay raise for Mary Beth Hand.

There being no further public comment, a motion to go back into Closed Session to seek legal counsel was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye. The Board went into Closed Session at 8:50 P.M.

Renata McGee  
Town Clerk